

ORDINANCE NO. 3383

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING
CHAPTER 15.08 OF THE CHULA VISTA MUNICIPAL CODE
ADOPTING THE CALIFORNIA BUILDING CODE, 2016
EDITION

The City Council of the City of Chula Vista does ordain as follows:

Section I. Amended Chapter 15.08

That Chapter 15.08 of the Chula Vista Municipal Code is hereby amended to read as follows:

**Chapter 15.08
BUILDING CODE**

Sections:

- 15.08.010 California Building Code, 2016 Edition, adopted by reference.
- 15.08.020 Subsection 705.11 is amended to add an exception to the requirement for parapets.
- 15.08.030 Subsection 1510.6.4 is added to Section 1510.6 to require equipment enclosures on roofs.

15.08.010 California Building Code, 2016 Edition, adopted by reference.

There is hereby adopted by reference the California Building Code, 2016 Edition, known as the California Code of Regulations, Title 24 part 2, including Appendix C and Appendix I, and excluding Chapter 1, Division II of that document as copyrighted by the International Code Council, and the California Building Standards Commission. Said document is hereby adopted as the Building Code of the City of Chula Vista for regulating the erection, construction, enlargement, alteration, repair, moving, demolition, conversion, occupancy, use, height, and area of all buildings and structures in the City, excepting such portions as are hereinafter deleted, modified, or amended. Municipal Code Chapter 15.06 shall serve as the administrative, organizational and enforcement rules and regulations for this Chapter.

15.08.020 Subsection 705.11 is amended to add an exception to the requirement for parapets.

Exception 7 is hereby added to Subsection 705.11 of the California Building Code, as it applies in Chula Vista, and shall read as follows:

Exception 7. Conversion of existing Group R occupancies to offices.

15.08.030 Subsection 1510.6.4 is added to Section 1510.6 to require equipment enclosures on roofs.

Subsection 1510.6.4 is hereby added to Section 1510.6 of the California Building Code, as it applies in Chula Vista, and shall read as follows:

Subsection 1510.6.4 Equipment Enclosure. Operating equipment, including piping and ducts located on the roof of a building, shall be shielded from view from public thoroughfares, and private and public parking lots. Equipment enclosures shall not be constructed so as to trap flammable or combustible vapors.

Exception: Solar collectors. Does not include structural supporting members.

Section II. Findings and Declaration

The City Council specifically and expressly finds and declares that adding section 15.08.020 and 15.08.030 to Chapter 15.08 is necessary due to local topographical conditions. As a result of the geographical layout of the City the City Council deems it aesthetically important to shield roof equipment enclosures from public view. Also, exempting conversion of existing Group R occupancies to offices from Subsection 705.11 of the California Building Code is an important historical exemption contained in the City Code from years past and the City Council deems this exemption necessary to preserve local topographical conditions.

Section III. Severability

If any portion of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid, unenforceable or unconstitutional, by a court of competent jurisdiction, that portion shall be deemed severable, and such invalidity, unenforceability or unconstitutionality shall not affect the validity or enforceability of the remaining portions of the Ordinance, or its application to any other person or circumstance. The City Council of the City of Chula Vista hereby declares that it would have adopted each section, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more other sections, sentences, clauses or phrases of the Ordinance be declared invalid, unenforceable or unconstitutional.

Section IV. Construction

The City Council of the City of Chula Vista intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

Section V. Effective Date

This ordinance will take effect and be in force thirty days after final passage but not before January 1, 2017.

Section VI. Publication

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

Presented by

Approved as to form by

[Redacted Signature]

Kelly G. Broughton, FASLA
Director of Development Services

[Redacted Signature]

Glén R. Googins
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 6th day of December 2016, by the following vote:

AYES: Councilmembers: Aguilar, Bensoussan, McCann, Miesen, and Salas

NAYS: Councilmembers: None

ABSENT: Councilmembers: None

[Redacted Signature]

Mary Salas, Mayor

ATTEST:

[Redacted Signature]

Donna R. Norris, CMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Donna R. Norris, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 3383 had its first reading at a regular meeting held on the 15th day of November 2016 and its second reading and adoption at a regular meeting of said City Council held on the 6th day of December 2016; and was duly published in summary form in accordance with the requirements of state law and the City Charter.

12/23/2016
Dated

[Redacted Signature]

Donna R. Norris, CMC, City Clerk